THE HONOURABLE SRI JUSTICE V.ESWARAIAH

WRIT PETITION No :23671 of 2007

DATED:06-11-2007

BETWEEN:

M.Narsimulu.

..... PETITIONER

AND

The Revenue Divisional Officer,
Adilabad District & another.

.....RESPONDENTS

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ORDER:

Heard learned counsel appearing for the petitioner as well as the learned Government Pleader for Revenue appearing for the respondents.

2. Petitioner seeks a writ of mandamus declaring the action of the 1st respondent in not disposing of the stay petition filed under Section4-A of the A.P.Assigned Lands (Prohibition of Transfers) Act, 1977 (for brevity, 'the Act') along with the appeal vide A-1928/2007 on 27-10-2007 wherein it is prayed to stay of the operation of the order, dated 15-10-2007, passed by the 2nd respondent pending disposal of the appeal, as illegal, and arbitrary.

3. It is the case of the petitioner that as against the resumption order passed by the 2nd respondent-Tahsildar/Mandal Revenue Officer, Adilabad dated
15-10-2007, resuming the lands of an extent of Ac.8.00 in Sy.No.72 part situated at Battisavargaon village, Adilabad mandal and District on the ground that the said land is assigned in favour of one Neerati Pedda Ganga, who inturn transferred the said land in contravention of sub-Section 2 of Section 3 of the Act, petitioner filed an appeal before the 1st respondent-Revenue Divisional Officer, Adilabad, on
27-10-2007 along with application to grant stay. It is stated that even before disposal of the appeal 2nd respondent is taking steps

to dispossess the petitioner. Hence, the present Writ Petition.

4. Having regard to the facts and circumstances of the case, and without expressing any opinion on the merits of the case, Writ Petition is disposed of directing the Tahsildar/Mandal Revenue Officer, Adilabad-2nd respondent to consider and dispose of the appeal said to have been filed on 27-10-2007 along with stay application against the order, dated 15-10-2007, of the 2nd respondent in C/11791/2007, and pending disposal of the appeal petitioner shall not be dispossessed. No costs.

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V.ESWARAIAH,J

06th November, 2007.
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